

Sign supports down, but legal fight goes on over site in Sherwood

SHERWOOD — A pole at 5810 Warden Road that would have supported a billboard was taken down Wednesday morning following a dispute involving Donrey Outdoor Advertising Co., two Sherwood businessmen and the city.

"We had an agreement to remove the thing, and that's what we were doing," said David Olive, an attorney for Donrey's headquarters in Fort Smith.

Olive said the company has reached an agreement with Sherwood and two of the city's businessmen. Businessmen Walter Koehler and Jimmy Tice were granted a preliminary injunction Aug. 9 in Pulaski County Chancery Court for Donrey to halt billboard construction near their businesses.

Olive said the lawsuit has been dismissed and Donrey has reached an agreement with Koehler and Tice.

Koehler is the owner of Koehler Bakery Co. at 5902 Warden Road, and Tice owns Arkansas Auto Air Co. at 5900 Wadley Road.

But Jack Wagoner III, a Little Rock attorney representing Tice and Koehler, said Wednesday the suit hasn't been dismissed, though there had been some discussion about such a move.

Wagoner also said he was unaware that the pole had been removed until the *Arkansas Democrat* told him.

"I don't trust that at all," he said.

Wagoner said he feared the

case may be dismissed because of the pole's removal, which could mean Donrey may try later to erect another one at the same location.

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Chancellor Robin Mays granted a preliminary injunction orally Aug. 9 and said she has been trying to get both sides to agree to the language on the written order.

Mays said the actual order hasn't been filed and signed, but she hopes to enter one today.

Olive said Donrey plans to move the sign away from the site along U.S. 67-167, but he couldn't give the exact location of the new site.

On Aug. 7, Sherwood police cited Donrey for violating a city ordinance that prohibits placing a sign within 75 feet of a state or federal highway. Donrey had just installed a pole to support the 45-foot billboard at the intersection by U.S. 67-167.

Donrey is also charged with violating a city ordinance requiring a construction permit for a billboard structure.

A trial on that charge is still set for Sept. 4 at 8:30 a.m., a Sherwood Municipal Court spokesman said Wednesday afternoon.



Arkansas Democrat/Staton Breidenthal

COMING DOWN — A worker hooks up a crane Wednesday morning while removing a pole that would have supported a Donrey billboard in Sherwood.